

**MICHAEL O. SCHEINBERG**  
Patent Attorney**RECEIVED**  
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NOV 16 2004

November 16, 2004

# Fax

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From: Michael O. Scheinberg  
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Date: November 16, 2004  
Subject: Response to Office Action  
Pages: 1 (including coversheet)

APPLICATION NO.: 09/954,717  
APPLICANT(S): Kenneth Noddings et al.  
FILING DATE: September 17, 2001  
TITLE: Fabrication of Optical Devices and Assemblies

ART UNIT: 1734  
EXAMINER: Michelle A. Lazor

**Comments:**

Enclosed are the following:

1. Response to June 17, 2004 Office Action
2. Fee Transmittal (in duplicate)
3. Petition for 2-Month Extension of Time (in duplicate)
4. Credit Card Form PTO-2038

Michael O. Scheinberg  
Pat. Reg. No. 36,919

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PTO/SB/17 (10-04v2)

Approved for use through 07/31/2008. OMB 0651-0032

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# FEE TRANSMITTAL for FY 2005

Effective 10/01/2004, Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 215.00

## Complete if Known

Application Number 09/954,717  
 Filing Date 09/17/2001  
 First Named Inventor Kenneth Noddings  
 Examiner Name Michelle A. Lazor  
 Art Unit 1734  
 Attorney Docket No. P051

## METHOD OF PAYMENT (check all that apply)

☐ Check ☒ Credit card ☐ Money Order ☐ Other ☐ None
☒ Deposit Account:

Deposit Account Number 50-1635  
 Deposit Account Name Michael O. Scheinberg

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 790	2001 395	Utility filing fee	
1002 350	2002 175	Design filing fee	
1003 550	2003 275	Plant filing fee	
1004 790	2004 395	Reissue filing fee	
1005 180	2005 80	Provisional filing fee	
SUBTOTAL (1)			(\$)

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims 48  
 Independent Claims 9  
 Multiple Dependent Claims 39

Extra Claims Fee from below Fee Paid

-20\*\* = 0 X = 0  
 -3\*\* = 0 X = 0

<u>Large Entity</u>		<u>Small Entity</u>		<u>Fee Description</u>
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	88	2201	44	Independent claims in excess of 3
1203	300	2203	150	Multiple dependent claim, if not paid
1204	88	2204	44	** Reissue Independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 60	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	2053 65	Non-English specification	
1812 2,520	2812 1,260	For filing a request for ex parte reexamination	
1804 920*	2804 460*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	2805 920*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 430	2252 215	Extension for reply within second month	215.00
1253 980	2253 490	Extension for reply within third month	
1254 1,530	2254 765	Extension for reply within fourth month	
1255 2,080	2255 1,040	Extension for reply within fifth month	
1401 340	2401 170	Notice of Appeal	
1402 340	2402 170	Filing a brief in support of an appeal	
1403 300	2403 150	Request for oral hearing	
1451 1,510	2451 755	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,370	2453 685	Petition to revive - unintentional	
1501 1,370	2501 685	Utility issue fee (or reissue)	
1502 490	2502 245	Design issue fee	
1503 660	2503 330	Plant issue fee	
1480 130	2480 65	Petitions to the Commissioner	
1807 50	2807 25	Processing fee under 37 CFR 1.17(q)	
1808 180	2808 90	Submission of Information Disclosure Stmt	
8021 40	28021 20	Recording each patent assignment per property (times number of properties)	
1809 790	2809 395	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 790	2810 395	For each additional invention to be examined (37 CFR 1.129(b))	
1801 790	2801 395	Request for Continued Examination (RCE)	
1802 900	2802 450	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 215.00

## SUBMITTED BY

Name (Print/Type) Michael O. Scheinberg

Registration No. 36,919

(Complete if applicable)

Telephone (512) 328-9510

Signature [Signature]

Date Nov. 16, 2004

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Attorney Docket No.	P051

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Independent Claims: 9 -3\*\* = 0 x 0 = 0

Multiple Dependent: 0 x 0 = 0

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SUBTOTAL (2) (\$) 0

\*\*or number previously paid, if greater. For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

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1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 215.00

**SUBMITTED BY**

Name (Print/Type)	Michael O. Scheinberg	Registration No. (Attorney/Agent)	36,919	Telephone	(512) 328-9510
Signature	<i>Michael O. Scheinberg</i>	Date	Nov. 16, 2004		

(Complete if applicable)

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